

Merchantville, NJ September 11, 2017

A regular meeting of Borough Council was held at 7:30 PM, Monday, September 11, 2017. Mayor Ted Brennan presided. Pledge of Allegiance and Silent Prayer were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

**ROLL CALL:**

Council Present: Swann (7:33), Kidd, Grasso, Sperrazza, McLoone and Perno (7:42). Attorney Higgins, Clerk Brouse, CFO Moules were present.

**PUBLIC**-Richard Lobb stated that the Observer will be out this week

**PUBLIC HEARING ORDINANCE** for second reading and adoption

**ORDINANCE 17-07 Bond Ordinance of Acquisition of Capital Equipment/Improvements**-On a motion of Mr. Kidd and second of Mr. Grasso, Council approved the following Ordinance:

**BOROUGH OF MERCHANTVILLE, NEW JERSEY  
ORDINANCE 2017-07**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS  
PIECES OF CAPITAL EQUIPMENT AND THE COMPLETION OF  
VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH  
OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY;  
APPROPRIATING THE SUM OF \$1,061,000 THEREFOR;  
AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS  
OR BOND ANTICIPATION NOTES OF THE BOROUGH OF  
MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, IN THE  
AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000, MAKING  
CERTAIN DETERMINATIONS AND COVENANTS; AND  
AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION  
WITH THE FOREGOING**

**BE IT ORDAINED** by the Borough Council of the Borough of Merchantville, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Merchantville, County of Camden, New Jersey ("Borough").

**Section 2.** It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$1,061,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$190,000; and
- (c) a down payment in the amount of \$10,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$190,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$10,000, which amount represents the required down payment, and the sum of \$861,000, which represents a grant from the New Jersey Department of Transportation, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Borough in an amount not to exceed \$190,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$190,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell all or part of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$250,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the amount of available grants; the maximum amount of obligations to be issued for said purpose and the period of usefulness of said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Grant</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Pedestrian Street Project, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto, all as further described in the documentation on file and available for review at the Borough Clerk's office	\$861,000	\$0	\$861,000	\$0	--
B. Preliminary Costs Associated with a Redevelopment Study in and for the Borough, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto, all as further described in the documentation on file and available for review at the Borough Clerk's office	32,000	1,600	0	30,400	5 years
C. Acquisition of Various Equipment for the Police Department including, but not limited to, Sports Utility Vehicles, Cameras and Protective Gear, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	38,000	1,900	0	36,100	5 years
D. Acquisition of Various Equipment for the Public Works Department including, but not limited to, a Dump Truck, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	130,000	6,500	0	123,500	5 years
<b>TOTAL</b>	<b>\$1,061,000</b>	<b>\$10,000</b>	<b>\$861,000</b>	<b>\$190,000</b>	

**Section 8.** The average period of useful life of the purposes for the financing of which the Bond Ordinance authorizes the issuance of bonds or bond anticipation notes authorized for such several purposes, is not less than 5.00 years.

**Section 9.** Except for those described in Section 7. above, grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

**Section 10.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt

statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$190,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 11.** The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 12.** The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 13.** The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

**Section 14.** The Borough hereby covenants as follows:

- (a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;
- (b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;
- (c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;
- (d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and
- (e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 15.** The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 16.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

**Section 17.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**APPROVAL OF MINUTES-**On a motion of Mr. McLoone and second of Mr. Kidd, (Mr. Grasso and Mr. Sperrazza abstained), Council approved the regular Council meeting minutes of 8/14/17.

**ENGINEER REPORT-** None at this time

## **CORRESPONDENCE**

## **COUNCIL REPORTS**

**Mr. McLoone-** HPC September meeting, no hearings because the gym didn't show up. P/W-11.68 tons, 9 tons for year, 100 c yard waste, concerns regarding continuing trash and recycle issues. Continuing to work on issues. Need to work on business district collection issues.

**Mr. Sperrazza-**Fire Department changed from 4 to 3 rating, 37 man hours, 11 calls in Merchantville, no code enforcement report. Report will be coming for merging of department recommendation.

**Mr. Grasso**-Court-August \$10,232, 280 added, 334 disposed, up for year. Outstanding Court collection is coming in, Court office was closed for a few days. Close to filling court position.

Police Department-no issues with Chapel Avenue project, one officer, Josh Treusch, leaving September 19<sup>th</sup>, Keith Tapper will be new officer. Current rates for towing service, explore what other towns and companies are doing. 1,567 calls, 50 traffic, 5 criminal. Pubic events by Mrs. Swann, National night out a success, continues to grow, October fest on September 23<sup>rd</sup>. Christmas mode-acts, etc for parade and breakfast with Santa.

**Mayor**-Chief of Police retiring February 2018, looking into all options are on table. New officer was runner up from previous process and worked in Metro force in Camden.

**Mr. Kidd**- Planning board meeting tomorrow, West end area, Parks and Playgrounds registered 107 children, 16 Councilors, several subs and had another successful summer. A dance program is being considered for the community center.

**Ms. Swann**-Task Force-had meeting Monday, helping with Music Fest. Shade Tree meeting tonight-down two people and looking for someone at the West End. Business meeting Wednesday, September 16<sup>th</sup> yard sale, September 23<sup>rd</sup> street and collectible, October 7<sup>th</sup> Music Fest, rain date October 8<sup>th</sup>, having an adult game area, 3 food trucks, inviting restaurants, 5 bands, 1 hour each. October 13<sup>th</sup> Gothic masquerade Ball and costume party, some proceeds will benefit South Jersey Food Bank. October 14<sup>th</sup> PTA pumpkin patch at Farmers Market, 15k run, Chili cook off and fun run, October 31<sup>st</sup> Safe Halloween.

**Mr. Perno**-Bills list. Pull three Ordinances for future meeting. Abandoned property meeting, other properties and moving forward, clarify and cleaning up.

**Mayor**- American Legion Aux-Thank you- dedication event-nice event, good day of remembrance, part of larger efforts, Boy Scouts, car show, American Legion & Borough, reimagine the area. Little free library, grand opening, it's the biggest little free library he has ever seen. Good partner. Meeting October 16<sup>th</sup> 7:00

**Clerk**- Yard Sale, Tax sale, October 5<sup>th</sup>, Gazebo, abandoned property meeting 9/13/17, caucus meetings begin in September, summer schedule over and back to regular time, window boxes complete in court room.

## **NEW BUSINESS**

**APPROVAL** Use of Facility for Merchantville Baseball-On a motion of Mr. Grasso and second of Mr. Kidd, Council approved the use of facility for Merchantville Baseball.

**APPROVAL** Use of Facility for Merchantville Music Festival- On a motion of Mr. Grasso and second of Mr. Kidd, Council approved the use of facility for Merchantville Music Festival.

**DISCUSSION**-Fall Events

**DISCUSSION**-Monsterville

Resolutions to be read by consent agenda: On a motion of Mr. Perno and second of Mr. Grasso, Council approved the following resolutions by consent agenda:

### **R17-99**

#### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY TO APPROVE A BINGO LICENSE FOR ST. PETER SCHOOL PTA**

**WHEREAS**, St. Peter School PTA has applied for and received an identification number 299-5-2697 allowing St. Peter School PTA the ability to conduct bingo licenses with proper approval; and

**WHEREAS**, St. Peter School PTA has properly completed the bingo license application and at least 7 days have elapsed between the time the application was filed and the time that the Borough Council made their findings

and determination with checks to the Borough of Merchantville in the amount of \$20.00 each and checks to the Legalized Games of Chance Control Commission in the amount of \$20.00 each and that 15 days will elapse between the time the municipality forwards the application to the control commission and the date the license is issued to the applicant; and

**WHEREAS**, Council person Swann council person of the Department of Records and Licenses, has reported that the laws and regulations have been met, and that she recommends the granting of said license; and

**WHEREAS**, the Borough Clerk has reported that the legal preliminaries have been strictly complied with;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council be and is hereby authorized to issue a Raffle license numbered SPS 17-07 to St. Peter School PTA for the Bingo taking place on November 18, 2017 at 51 W Maple Avenue, Merchantville, NJ 08109.

#### **R17-100**

### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPOINTING PATROLMAN, POLICE OFFICER**

**BE IT RESOLVED**, by the Borough Council of the Borough of Merchantville, with the Mayor concurring, that John Coffey be and is hereby appointed as a patrolman, police officer of the Borough of Merchantville Police Department, effective December 12, 2016 subject to and conditioned upon his successful completion of all training required by the Statutes and certification of such.

#### **R17-101**

### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPOINTING PATROLMAN, POLICE OFFICER**

**BE IT RESOLVED**, by the Borough Council of the Borough of Merchantville, with the Mayor concurring, that Keith Tappert, be and is hereby appointed as a patrolman, police officer of the Borough of Merchantville Police Department, effective September 27, 2017 subject to and conditioned upon his successful completion of all training required by the Statutes and certification of such.

#### **R17-102**

### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPOINTING PATROLMAN, POLICE OFFICER**

**BE IT RESOLVED**, by the Borough Council of the Borough of Merchantville, with the Mayor concurring, that Stephen Morrone Jr. be and is hereby appointed as a patrolman, police officer of the Borough of Merchantville Police Department, effective March 13, 2017 subject to and conditioned upon his successful completion of all training required by the Statutes and certification of such.

#### **R17-103**

### **RESOLUTION AUTHORIZING THE AWARD OF CONTRACT BY AND BETWEEN THE CAMDEN COUNTY COOPERATIVE PRICING SYSTEM, SYSTEM IDENTIFIER #CCCPS-57**

**WHEREAS**, the County of Camden is the lead agency for the Camden County Cooperative Pricing System, System Identifier #57-CCCPS; and

**WHEREAS**, the cooperative received and opened bids at its division of purchasing on August 3, 2017 at 11:00 am, prevailing time, for bid 26/2017 for the purchase of office supplies to the lowest responsible bidder; and

**WHEREAS**, it is the desire of the Board of Chosen Freeholders to award a contract on behalf of the County of Camden and participating members of the cooperative for a term of six (6) months

commencing on or about September 1, 2017 through February 28, 2018 with the option for two additional one year contracts, said options to be exercised at the sole discretion of the County; and

**WHEREAS**, funding for this purpose for the Borough of Merchantville shall not exceed the maximum line items for office supplies in the Borough's 2017 permanent budget and shall be encumbered prior to incurring the obligation pursuant to NJAC 5:30-5.3(b)(2); and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Merchantville that, contingent upon funding as described herein, the aforementioned Bid 26/2017, be and is hereby approved for, office supplies; and

**BE IT FURTHER RESOLVED THAT** the proper Borough officials be and are hereby authorized to execute all documents necessary to effect this award.

#### **R17-105**

### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY TO RENEW ABC PLENARY RETAIL DISTRIBUTION LICENSE**

**WHEREAS**, First Jay Sai LLC, 620-622 W Maple Avenue, Merchantville, NJ, has applied for renewal of their Plenary Retail Distribution License for the year July 1, 2017 to June 30, 2018 and applications have been filed with checks to the Borough of Merchantville in the amount of \$1,250.00 each and checks to the State Division of Alcoholic Beverage Control in the amount of \$200.00 each; and

**WHEREAS**, Councilor Swann, director of the Department of Records and Licenses, has reported that the licensed premises were inspected to ascertain that they comply with all pertinent health and safety laws and regulations, and that he recommends the granting of said licenses; and

**WHEREAS**, the Borough Clerk has reported that the legal preliminaries have been strictly complied with;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council be and is hereby authorized to issue a Plenary Retail Distribution License #0424-44-001-010 to First Jay Sai LLC..

#### **R17-106**

### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AMENDING CHAPTER 19 CURFEW FOR 2017 AND RENAME THE BOROUGH FOR THE MONTH OF OCTOBER**

**WHEREAS**, the Mayor and Council of the Borough of Merchantville have established the curfew in the Borough of Merchantville by ordinance Chapter 19 adopted October 15, 2003; and

**WHEREAS**, council desires to amend the ordinance for the 2017 Halloween curfew on October 29, 30 and 31, 2017 to extend curfew to 8:00 p.m., prevailing time, until 6:00 a.m.;

**WHEREAS**, council also desires to rename the Borough of Merchantville to Monsterville for the month of October, 2017

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Merchantville hereby establishes that the curfew be extended for October 29, 30 and 31, 2017 for the Borough of Merchantville for 2017 and change the name to Monsterville:

**Resolution R17-104**-On a motion of Mr. Perno and second of Mr. Sperrazza, Council approved the following Resolution:

#### **R17-104**

### **RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY TO ALLOW CAMDEN COUNTY IMPROVEMENT AUTHORITY TO AWARD A CONTRACT TO AN ARCHITECT FOR THE SERVICES RELATED TO THE MERCHANTVILLE COMMUNITY CENTER PROJECT, 212 SOMERSET AVENUE**

**WHEREAS**, the Mayor and Council of the Borough of Merchantville, working with the Camden County Improvement Authority desire to hire an architect for services related to the project located at the Merchantville Community Center, 212 Somerset Avenue, in the Borough of Merchantville; and

**WHEREAS**, Settembrino Architects, 25 Bridge Avenue, Suite 201, Red Bank, NJ 07701 has provided the following pricing; and

<b>WHEREAS</b> , the total amount allowable will not exceed the following tasks;		Task 1-
Schematic Design	\$ 10,000.00	
Task 2- Design Development	\$ 20,000.00	
Task 3- Construction Development	\$ 46,000.00	
Task 4- Construction Administration	\$ 19,000.00	
Total:	<u>\$ 95,000.00</u>	
Hazardous Material Testing & Report	+ \$8,500.00	

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, that Camden County Improvement Authority with award this contract.

Ordinance for introduction on first reading. This Ordinance will be considered for adoption at the public hearing to be held during the October 9<sup>th</sup> council meeting.

**Payment of Bills**-On a motion of Mr. Perno and second of Mr. Grasso, council approved the payment of bills.

#### R17-107 RESOLUTION

**RESOLVED** that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bill approved therein.

CURRENT FUND		REVENUE		BUDGET
CHECKS CURRENT FUND	2016 BUDGET			
	2017 BUDGET	\$ -	\$	116,360.76
	GRANTS		\$	605.44
	PFRS			
	PERS			
	DEBT SERVICE			
	BOARD OF EDUCATION*			
	CAMDEN COUNTY			
WIRE TRANSFERS PAYROLL	8/18/17-9/1/17		\$	125,021.01
WIRES / MANUAL CHECKS			\$	24,504.07
TOTAL CURRENT		\$ -	\$	266,491.28
<b>SEWER UTILITY</b>				
CHECKS SEWER FUND	2016 BUDGET			
	2017 BUDGET			
	DEBT SERVICE			
WIRE TRANSFERS PAYROLL	8/18/17-9/1/17		\$	5,253.02
WIRE NJEIT LOAN				
WIRES /MANUAL CHECKS				
TOTAL SEWER		\$ -	\$	5,253.02

#### GENERAL CAPITAL FUND

CHECK CAPITAL FUND			\$	5,498.00
MANUAL CHECK				
WIRE TRANSFERS PAYROLL	8/18/17-9/1/17			
TOTAL CAPITAL		\$	-	\$ 5,498.00
<b>TRUST FUND</b>				
CHECK TRUST OTHER FUND			\$	3,706.11
WIRE TRANSFERS PAYROLL	7/21/17-8/4/17		\$	3,013.50
WIRES / MANUAL CHECKS			\$	18,007.59
TOTAL TRUST		\$	-	\$ 24,727.20
<b>SEWER CAPITAL FUND</b>				
CHECK SEWER CAPITAL				
MANUAL CHECKS				
WIRE TRANSFERS PAYROLL	7/21/17-8/4/17			
TOTAL SEWER CAPITAL		\$	-	\$ -
<b>ANIMAL TRUST FUND</b>				
ANIMAL TRUST CHECK			\$	356.60
TOTAL ANIMAL TRUST		\$	-	\$ 356.60
TOTAL BILL LIST & MANUAL CHECKS/WIRE		\$	-	\$ 302,326.10
GRAND TOTAL			\$	<b>302,326.10</b>

**ANNOUNCEMENTS****PRIVATE SESSION-**

**ADJOURNMENT:** On the motion of Mr. Kidd and second of Mr. Perno the meeting was adjourned at 8:42 P.M.

Denise Brouse, Borough Clerk